

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Cinemas - M/s Theatre Sri Jagannadh, Anakapalle, Visakhapatnam District – Appeal Petition against the orders the District Collector and Licensing Authority, Visakhapatnam suspending the licence of the Theatre- Penalty of Rs.10,000/- imposed on the Theatre in lieu of revocation or suspension of Licence- Orders- Issued.

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**HOME (GENERAL.A) DEPARTMENT**

**G.O.Ms.No. 68**

**Dated: 31-01-2009.**  
**Read the following:**

1. Appeal Petition filed by Sri D.Lakshmi Narayana, Partner, Theatre Sri Jagannadh, Anakapalle, dated 26-04-2008.
2. Govt. Memo.No.13738/Genl.A/A2/2008-1, dated 30-04-2008.
3. Govt. Memo.No.13738/Genl.A/A2/2008-2, dated 01-05-2008.
4. From the District Collector & Licensing Authority, Visakhapatnam, Lr.RC No. 820/2008/C1, dated 16-12-2008.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Sri D.Lakshmi Narayana, Partner, M/S Theatre Sri Jagannadh, Anakapalle, Visakhapatnam District, has filed an appeal petition before the Appellate Authority against the orders suspending the licence of M/S Theatre Sri Jagannadh, at Anakapalle, by the Joint Collector / Licensing Authority, Visakhapatnam.

2. Government, in the reference 2<sup>nd</sup> read above, stayed the orders of Licensing Authority in his Proceedings No. (M)/Rc.No.820/2008/C1, dated 25-04-2008, suspending the licence of M/s Theatre Sri Jagannadh, Anakapalle, Visakhapatnam, pending disposal of the appeal filed by the Management, duly calling for a detailed report from the Licensing Authority, in the reference 3<sup>rd</sup> read above.

3. The District Collector / Licensing Authority, Visakhapatnam District, in the reference 4<sup>th</sup> read above, has furnished report and records to Government, stating that the Management had violated certain conditions of 'B' Form Licence. He had also stated that the charges framed against the management were proved and necessary disciplinary action was taken against the management, as per Section 10(2) (b) of Andhra Pradesh Cinemas (Regulation) Act, 1955, the Form-B License granted under the Act to the Management of Theatre Sri Jagannadha, Anakapalli Village, was suspended vide his Office proceedings (M)/Rc.No.820/2008/C1, dated 25-04-2008, for one month from 25-04-2008 onwards for violation of certain conditions of Form-B Licence of the Andhra Pradesh Cinemas (Regulation) Rules, 1970.

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4. The Appellant in his appeal has stated that the Revenue Divisional Officer, Visakhapatnam, has inspected the theatre on 02-04-2008, and issued show cause notice and questioned about some defects in services to the audience and the Joint Collector & Licensing Authority, Visakhapatnam, has directed the Management not to screen the shows for one month and further suspended the license of the theatre for one month. The appellant has stated that they have rectified the defects mentioned in the show cause notice, after the inspection and the defects in water flowing system in the toilets was rectified. The drinking water facility is also there from the beginning. The dates on the fire extinguishers was noted as per the show cause notice. The reason for excess number of viewers in the theatre at the time of inspection is only because of the confusion of booking clerk and the same was already mentioned in the reply to the show cause notice, which is neither wanton nor willful. At the time of inspection, the licensed operator went to dinner and the assistant operator took the duty for few minutes. But the time of inspection, all the records including the licence were in the almirah and keys were in the custody of the clerk. But unfortunately the clerk was on leave and as such licence could not shown immediately to the inspecting Authority, and submitted that in spite of rectifications made by the management of the theatre the respondent has passed the order without any confides and the order passed by the respondent is unjust and biased and if the theatre is stopped without screening movies, the management will sustain huge monetary loss and hardship.

5. An opportunity of hearing was given to the Management of M/s Theatre Sri Jagannadh, Anakapalle, Visakhapatnam District, to hear in person on 05.01.2009. They reiterated the same grounds which was submitted in their appeal petition and requested the Appellate Authority to pass such other appropriate orders as are deemed fit and proper in the interest of justice, as early as possible.

6. Government after careful examination of the issue based on the material furnished by the District Collector and Licensing Authority, Visakhapatnam, and the pleadings of the Management during hearing on 05.01.2009, felt that the theatre management has violated certain conditions of Form-'B' Licence of the Andhra Pradesh Cinemas (Regulation) Rules, 1970.

7. Government in exercise of the powers conferred under Section 10(4) of Andhra Pradesh Cinemas ( Regulation) Act, 1955, decided to modify the punishment of suspending the license of M/S Theatre Sri Jagannadh, Anakapalle, Visakhapatnam, while disposing the appeal filed by the Management into imposing a fine of Rs.10,000/- (Rupees Ten Thousands only) to the Management of the Theatre, as they have violated the conditions 12 (3) (5) (19) (20) (22), (36), (39) of Form-'B' Licence of the Andhra Pradesh Cinemas (Regulation) Rules, 1970.

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8. The District Collector and Licensing Authority, Visakhapatnam, is directed to take necessary action on receipt of application of the Management along with remittance of the fine amount of Rs.10,000/- to Government Account and intimate the action taken to Government.

9. The Records of the District Collector and Licensing Authority, Visakhapatnam, are returned herewith and receipt of the same may be acknowledged immediately.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

AJOYENDRA PYAL,  
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The District Collector& Licensing Authority,  
Visakhapatnam. (W.Es)

The Joint Collector, Visakhapatnam District.

Copy to Sri D.Lakshminarayana, Partner,  
M/s Theatre Sri Jagannadh, Anakapalle,  
Visakhapatnam District.

Copy to the P.S. to M (Cinematography).

Copy to P.S to Principal Secretary, Home Department.  
SF/SCs.

//FORWARDED BY ORDER //

SECTION OFFICER